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ABSTRACT

This paper discusses the effects of teacher organizing and the impact of a Supreme Court decision concerning the jurisdiction of the National Labor Relations Board in Catholic schools. First, the paper examines the results of a 1979 national survey of Catholic school superintendents and teacher organization heads. The purpose of the survey was to determine attitudes toward and the present status of teacher organizations. The results showed a steady growth in the number of teacher organizations and consensus for establishment of a third party to settle disputes. An analysis of the 1979 Supreme Court decision concluded that church-operated schools do not fall under the jurisdiction of the National Labor Relations Board. The paper concludes that agreement must be reached by both administrators and teachers on the overall mission of the church, its educational mission, and the place of the school within that mission. Further, models must be developed to take the place of a third party in labor disputes. (Author/LD)

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# TEACHER UNIONS, THE COURTS, AND CATHOLIC SCHOOLS

by

John J. Augenstein

## INTRODUCTION

IN NCEA'S NOVEMBER, 1979 "CONVENTION NEWS," THIS PRESENTATION WAS ADVERTISED AS FOLLOWS: "THE CONTROVERSIAL TOPIC OF "TEACHER UNIONS, THE COURTS, AND CATHOLIC SCHOOLS" WILL BE TACKLED BY MR. JOHN AUGENSTEIN, PRESENTLY SUPERINTENDENT OF SCHOOLS FOR THE DIOCESE OF YOUNGSTOWN, OHIO. . ." FOUR OF THE WORDS IN THAT ANNOUNCEMENT WERE APPROPRIATELY CHOSEN. I NOTE PARTICULARLY "CONTROVERSIAL TOPIC" AND "TACKLED BY." HOWEVER, THE WORD PRECEDING THE NOTATION OF MY POSITION, NAMELY, "PRESENTLY" DID GIVE ME CAUSE FOR MOMENTARY ALARM. I THOUGHT SOMEONE AT NCEA

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WHO WAS AWARE OF MY POSITIONS CONCERNING AND INVOLVEMENT IN LABOR RELATIONS AS IT AFFECTS CATHOLIC SCHOOLS KNEW SOMETHING ABOUT MY EMPLOYMENT FUTURE IN THE DIOCESE OF YOUNGSTOWN WHICH I DID NOT. NEVERTHELESS, I AM COMPLETING MY EIGHTH YEAR AS SUPERINTENDENT AND MY ELEVENTH YEAR OF LEARNING ABOUT AND BEING INVOLVED IN LABOR RELATIONS IN CATHOLIC SCHOOLS AND I CONCUR THAT MY SUBJECT TODAY IS CONTROVERSIAL AND REQUIRES TACKLING.

IN MY PRESENTATION, I PROPOSE TO ADDRESS THREE QUESTIONS.

1. WHAT IS THE PRESENT STATUS OF TEACHER ORGANIZATIONS IN CATHOLIC SCHOOLS ACROSS THE COUNTRY?
2. WHAT IS THE HISTORY, RATIONALE, AND CONCLUSION

OF THE UNITED STATES SUPREME COURT DECISION OF MARCH, 1979, CONCERNING THE JURISDICTION OF THE NATIONAL LABOR RELATIONS BOARD IN CATHOLIC SCHOOLS?

3. CONSIDERING THE TEACHER ORGANIZING EFFECTS AND THE SUPREME COURT DECISION, WHAT ARE THE IMPLICATIONS FOR CATHOLIC SCHOOLS?

## I. PRESENT STATUS OF TEACHER ORGANIZATIONS

TO ADDRESS THE QUESTION OF THE PRESENT STATUS OF TEACHER ORGANIZATIONS, I SHALL USE THE DATA GATHERED AND CONCLUSIONS DRAWN FROM A NATIONAL SURVEY WHICH I CONDUCTED DURING THE SUMMER OF 1979 AMONG DIOCESAN CATHOLIC SCHOOL SUPERINTENDENTS AND TEACHER ORGANIZATION HEADS.

THE SURVEY WAS SENT TO 162 DIOCESAN SUPERINTENDENTS AND 46 TEACHER ORGANIZATION HEADS. SIXTY-NINE PERCENT (69%) OF THE SURVEYS WERE RETURNED, SEVENTY-NINE PERCENT (79%) OF THE SUPERINTENDENTS RESPONDED AND THIRTY-THREE PERCENT (33%) OF THE TEACHER ORGANIZATION HEADS. IN CATEGORIZING THE RESPONSES, TWO GUIDES WERE USED. ONE ESTABLISHED DIOCESE SIZE ON THE BASIS OF ENROLLMENT: SMALL (0-999), MEDIUM (10,000-29,999), AND LARGE (30,000+). THE OTHER GUIDE CATEGORIZED RESPONSES BY ACCREDITING REGIONS: NEW ENGLAND, MIDDLE STATES, SOUTHERN, NORTH CENTRAL, WESTERN, AND NORTHWEST.

THE SURVEY HAD THREE PURPOSES AND PARTS.

1. TO GATHER BASIC STATISTICAL DATA ON CURRENT TEACHER ORGANIZATIONS;

2. TO DETERMINE PRESENT ATTITUDES OF SUPERINTENDENTS AND TEACHER ORGANIZATION HEADS REGARDING THE NEED FOR AND ESTABLISHMENT OF A THIRD PARTY SERVICE TO ASSIST DIOCESES, SCHOOLS, AND TEACHER GROUPS IN THE RESOLUTION OF ISSUE DIFFERENCES;

3. TO DETERMINE THE PRESENT METHODS USED IN DIOCESES TO ESTABLISH TEACHER SALARIES AND BENEFITS.

AS REGARDS TEACHER ORGANIZATION DATA, THE FOLLOWING INFORMATION WAS CULLED FROM THE SURVEYS. TWENTY-SEVEN (27) DIOCESES (24%) INDICATED THAT TEACHER ORGANIZATIONS EXISTED IN THEIR

DIOCESE. THE OVERWHELMING MAJORITY OF ORGANIZATIONS ARE FOUND IN MEDIUM AND LARGE DIOCESES AND THE MIDDLE STATES HAS THE GREATEST NUMBER OF DIOCESES WITH TEACHER GROUPS (10 or 43%).

WHEN CONSIDERING THE CONSTITUENT MEMBERSHIP OF THESE TEACHER GROUPS, THE SURVEY RESULTS SHOWED THAT A SIGNIFICANT MAJORITY (78%) INCLUDED ONLY LAY TEACHERS AND THE REMAINDER INCLUDED BOTH RELIGIOUS AND LAY. BY A LARGE MAJORITY, ORGANIZED TEACHERS ARE FOUND PRIMARILY IN THE HIGH SCHOOLS. THE SURVEY WAS NOT DETERMINATIVE ON THE QUESTION OF WHETHER TEACHERS WERE ORGANIZED ONLY ON A SCHOOL BUILDING BASIS OR DIOCESAN WIDE.

THE FINAL QUESTION IN THAT PART OF THE SURVEY ASKED WHETHER OR NOT TEACHERS' RIGHTS AND DUTIES WERE SPELLED OUT IN SOME FORM. A GOOD MAJORITY OF THE SUPERINTENDENTS (67%) RESPONDED AFFIRMATIVELY.

AMONG THE CONCLUSIONS DRAWN FROM THAT SEGMENT OF THE SURVEY, IT WAS NOTED THAT THE GROWTH IN THE NUMBER OF TEACHER ORGANIZATIONS HAS BEEN SLOW BUT STEADY. JUST A LITTLE MORE THAN HALF OF THE GROUPS HAVE BEEN IN EXISTENCE MORE THAN FIVE YEARS.

THE SECOND PART OF THE SURVEY ADDRESSED PRINCIPALLY THE NEED FOR AND ESTABLISHMENT OF THIRD PARTY SERVICES TO ASSIST DIOCESES, SCHOOLS, AND TEACHER GROUPS IN THE RESOLUTION OF ORGANIZATIONAL

AND CONTRACTUAL DISPUTES. EVEN THOUGH IT WAS NOT OVERWHELMING, THE MAJORITY OF SUPERINTENDENTS INDICATED A NEED FOR SUCH A SERVICE AND RESPONDING TEACHER ORGANIZATION HEADS, NEARLY UNANIMOUSLY, AFFIRMED SUCH A NEED.

AS TO THE SOURCE OR INITIATOR OF THIRD PARTY SERVICES, SUPERINTENDENTS LOOKED IN RANK ORDER TO THEIR LOCAL DIOCESE, STATE CATHOLIC CONFERENCE, AND NCEA AS POTENTIAL VEHICLES. WHEREAS, TEACHER GROUP HEADS STRONGLY PREFERRED THE AMERICAN ARBITRATION ASSOCIATION OR ITS EQUIVALENT.

THE FINAL SEGMENT OF THE SURVEY WHICH SOUGHT INFORMATION

ON THE PRESENT METHODS USED IN TEACHER SALARY AND BENEFIT DETERMINATION BROUGHT THESE CONCLUSIONS.

1. DIOCESAN INVOLVEMENT IN SALARY AND BENEFIT DETERMINATION AT BOTH THE ELEMENTARY AND HIGH SCHOOL LEVELS IS MINIMAL;
2. THE NUMBER OF PLACES WHERE TEACHERS ARE INVOLVED IN SALARY AND BENEFIT DETERMINATION IS HIGHER THAN ANTICIPATED;
3. PRESENT MODELS OF TEACHER PARTICIPATION IN SALARY DETERMINATION NEED TO BE SHARED.

II. U.S. SUPREME COURT DECISION

HAVING PROVIDED SOME BASELINE DATA ON TEACHER ORGANIZATIONS AS THEY EXIST NOW, THE NEXT SUBJECT WHICH I NOTED WOULD BE ADDRESSED IS THE MARCH, 1979 SUPREME COURT DECISION REGARDING THE JURISDICTION OF THE NATIONAL LABOR RELATIONS BOARD IN CATHOLIC SCHOOLS.

FOR THOSE OF YOU WHO READ WOODWARD AND ARMSTRONG'S BOOK, THE BRETHREN, YOU GAINED SOME INSIGHT INTO THE PROCESS USED BY THE NINE JUSTICES IN ARRIVING AT AND WRITING A DECISION. ALSO, YOU CAN APPRECIATE THE DIFFICULTY THAT I OR ANYONE ELSE WOULD HAVE IN ATTEMPTING TO REVIEW AND EXPLAIN THE COMPONENT PARTS AND LEGAL

LOGIC OF SOME DECISIONS. HAVING MADE THAT NOTE, I SHALL, NEVERTHELESS ATTEMPT TO PROVIDE YOU WITH A CAPSULIZED VIEW OF THE MAJOR CATEGORIES OF THE NLRB DECISION. THE DECISION WAS RENDERED IN THE CASE OF THE NLRB VERSUS THE CATHOLIC BISHOP OF CHICAGO AND OTHERS.

AT THE OUTSET OF THE OPINION, THE COURT SPECIFIES THE TWO QUESTIONS WHICH ARE ADDRESSED IN THE DECISION: 1. ARE "TEACHERS IN SCHOOLS, OPERATED BY A CHURCH, TO TEACH BOTH RELIGIOUS AND SECULAR SUBJECTS WITHIN THE JURISDICTION OF THE NATIONAL LABOR RELATIONS ACT?" 2. "IF THE ACT AUTHORIZES SUCH JURISDICTION, DOES ITS EXERCISE VIOLATE THE GUARANTEES OF THE RELIGION CLAUSES OF THE FIRST AMENDMENT?"[1]

THE POSITION OF THE NLRB, DEVELOPED OVER A PERIOD OF YEARS, WAS THAT IT DECLINED JURISDICTION "ONLY WHEN SCHOOLS ARE COMPLETELY RELIGIOUS NOT JUST RELIGIOUSLY ASSOCIATED."[2] THE POSITION OF THE ARCHDIOCESE OF CHICAGO AND OTHERS WAS THAT THE LAW DID NOT AUTHORIZE JURISDICTION IN CHURCH SCHOOLS AND IF IT DID, IT WOULD VIOLATE THE RIGHTS GUARANTEED UNDER THE FIRST AMENDMENT.

THE NATIONAL LABOR RELATIONS BOARD'S JURISDICTION OVER PRIVATE SCHOOLS WAS A RATHER RECENT DEVELOPMENT BECAUSE IN A 1951 CASE INVOLVING COLUMBIA UNIVERSITY THE BOARD ASSERTED THAT IT "WOULD NOT EXERCISE JURISDICTION OVER NONPROFIT EDUCATIONAL INSTITUTIONS."[3]

NINETEEN YEARS LATER, IN THE 1970 CORNELL UNIVERSITY CASE, THE BOARD BEGAN TO CHANGE ITS POSITION BASED UPON "INCREASED INVOLVEMENT IN COMMERCE BY EDUCATIONAL INSTITUTIONS."[4] IN THE NEXT YEAR (1971) THE BOARD TOOK JURISDICTION OVER PRIVATE, NONPROFIT SECONDARY SCHOOLS IN THE SHATTUCK SCHOOL CASE. IN 1975, THE BOARD ASSERTED JURISDICTION OVER FIVE PAROCHIAL HIGH SCHOOLS IN THE ARCHDIOCESE OF BALTIMORE. THAT WAS FOLLOWED IN '76 BY THE ARCHDIOCESE OF LOS ANGELES CASE IN WHICH THE BOARD NOTED THAT ITS ASSUMPTION OF JURISDICTION DID NOT VIOLATE THE FIRST AMENDMENT "WHEN IT INVOLVES A MINIMAL INTRUSION ON RELIGIOUS CONDUCT. . . ."[5] AND FINALLY IN 1977,

THE BOARD WROTE THAT IT ASSERTED "JURISDICTION OVER ALL PRIVATE, NONPROFIT EDUCATIONAL INSTITUTIONS WITH GROSS ANNUAL REVENUES THAT MEET ITS REQUIREMENTS WHETHER THEY ARE SECULAR OR RELIGIOUS. . . ."[6]

HAVING REVIEWED THE DEVELOPMENT OF THE NLRB POSITION, THE COURT THEN ADDRESSED THE INTENT OF CONGRESS IN ITS FORMULATION OF THE NATIONAL LABOR RELATIONS ACT AND NOTED A 1963 SUPREME COURT DECISION INVOLVING FOREIGN SEAMEN. THE CITATION FROM THAT DECISION STATED ". . .THERE MUST BE PRESENT THE AFFIRMATIVE INTENTION OF THE CONGRESS CLEARLY EXPRESSED. . . ."[7] AND ACCORDING TO THE COURT THE "CONGRESS SIMPLY GAVE NO CONSIDERATION TO CHURCH-OPERATED SCHOOLS. . . ."[8]

THE NEXT CONCERN OF THE COURT WAS THE ISSUE OF RELIGION CLAUSE INFRINGEMENT OR VIOLATION OF FIRST AMENDMENT RIGHTS. IN THIS REGARD, THE COURT WROTE "IT IS NOT ONLY THE CONCLUSIONS THAT MAY BE REACHED BY THE BOARD WHICH MAY IMPINGE ON RIGHTS GUARANTEED BY THE RELIGION CLAUSES, BUT THE VERY PROCESS OF INQUIRY LEADING TO FINDINGS AND CONCLUSIONS. . . ."[9] THE COURT ALSO TOOK COGNIZANCE OF THE FACT THAT THE CHURCH-TEACHER RELATIONSHIP WAS DIFFERENT FROM THE EMPLOYER-EMPLOYEE RELATIONSHIP IN PUBLIC OR NON-RELIGIOUS SCHOOLS.

FINALLY, THE MAJORITY OF THE JUSTICES CONCLUDED THAT CHURCH-OPERATED SCHOOLS DID NOT FALL WITHIN THE JURISDICTION OF THE NATIONAL LABOR RELATIONS BOARD.

THE MINORITY OF JUSTICES WHO DISSENTED ARGUED THAT THE NATIONAL LABOR RELATIONS ACT COVERED ALL EMPLOYEES EXCEPT THOSE EXPRESSLY EXEMPTED AND THAT THE CONSTITUTIONAL QUESTIONS RAISED WERE NOT WITHOUT DIFFICULTY BUT SHOULD BE ADDRESSED BY THE COURT AS THE CASES AROSE.

III. IMPLICATIONS FOR CATHOLIC SCHOOLS

HAVING PROVIDED YOU WITH DATA ON TEACHER GROUPS AND A SUMMARY REVIEW OF THE COURT DECISION, MY THIRD QUESTION REQUIRES A RESPONSE, NAMELY, WHAT IMPLICATIONS DO THESE ACTIONS HAVE FOR CATHOLIC SCHOOLS. I SHALL SPEARATE THE TWO SUBJECTS AND PROVIDE YOU MY PERCEPTIONS UNDER EACH.

FIRST, AS REGARDS TEACHER ORGANIZING EFFORTS, I SHALL RESTATE THAT WITH WHICH YOU ARE ALREADY FAMILIAR, THE CHURCH'S SOCIAL JUSTICE TEACHINGS AS THEY APPLY TO EMPLOYEE RIGHTS. THOSE RIGHTS ARE THREE: 1. THE RIGHT TO ORGANIZE; 2. THE RIGHT OF EMPLOYEES TO CHOOSE THEIR OWN REPRESENTATION; and, 3. THE RIGHT TO BARGAIN COLLECTIVELY WITH THEIR EMPLOYER IN AREAS RELATED TO WAGES, BENEFITS, AND WORKING CONDITIONS. FOR NEARLY A CENTURY, THE CHURCH HAS BEEN PROCLAIMING THIS TO EMPLOYERS IN THE PUBLIC AND PRIVATE SECTORS. NOW WE, AS CHURCH AND EMPLOYER ARE FACED WITH IMPLEMENTING THOSE SAME TEACHINGS AND GRANTING THOSE SAME RIGHTS TO OUR EMPLOYEES.

MOST PERSONS WITH WHOM I HAVE DISCUSSED THESE RIGHTS ACKNOWLEDGE THEM BUT A NUMBER OF PEOPLE HAVE PERCEPTIONS OF NEGATIVE EFFECTS RESULTING FROM THEIR IMPLEMENTATION. SOME MAINTAIN THAT THE ORGANIZING OF TEACHERS WILL RESULT IN FINANCIAL COLLAPSE OF THE SCHOOLS CAUSED BY IMPOSSIBLE AND UNACHIEVABLE DEMANDS. OTHERS FEEL THAT THERE WILL BE A SIGNIFICANT LOSS OF ADMINISTRATIVE CONTROL OR THAT ORGANIZING EFFORTS AND THEIR SUBSEQUENT BARGAINING WILL CAUSE FACULTY DIVISION AND A SCHOOL COMMUNITY SPLIT. STILL OTHERS ARGUE THAT THERE WOULD BE MEDDLING FROM OUTSIDERS IF THE TEACHER GROUP AFFILIATED WITH A LARGER GROUP AT THE DIOCESAN, STATE, OR

NATIONAL LEVELS. MY RESPONSE TO THOSE CONCERNS WOULD BE: 'YES, THEY ARE POSSIBLE CONSEQUENCES BUT I BELIEVE THEY CAN BE NEGATED BY ADMINISTRATIVE AND TEACHER LEADERSHIP WHICH IS OPEN, CAPABLE, AND WILLING TO LEARN, UNDERSTAND, AND SHARE.' AS I PROCEED, I SHALL ELABORATE AND MAKE SOME SPECIFIC SUGGESTIONS FOR THAT RESPONSE.

THERE ARE SPECIFIC IMPLICATIONS FOR ADMINISTRATORS. MANY, IF NOT MOST, ADMINISTRATORS AFFIRM THE CONCEPT OF SHARED DECISION MAKING. IT WOULD BE WELL TO PUT IN WRITING HOW THAT IS ACCOMPLISHED IN YOUR SCHOOL AND THEN DISCUSS IT WITH YOUR FACULTY TO SEE IF IT IS PERCEIVED IN THE SAME WAY BY THEM. THERE SHOULD BE WRITTEN PERSONNEL

POLICIES AND PRACTICES, JOINTLY DRAFTED AND JOINTLY REVIEWED AND REVISED BY ADMINISTRATORS AND TEACHERS. TEACHERS SHOULD BE INVITED TO PARTICIPATE IN THE DISCUSSION AND ESTABLISHMENT OF SALARIES AND FRINGE BENEFITS. WITH REGARD TO WORKING CONDITIONS, BUT EXCLUDING PARTICULARLY SALARY AND BENEFITS, THERE SHOULD BE EQUAL TREATMENT OF CLERGY, RELIGIOUS, AND LAY FACULTY MEMBERS.

THERE ARE ALSO SPECIFIC IMPLICATIONS FOR TEACHERS. FIRST, LET ME BE VERY CLEAR, I AM NEITHER ENCOURAGING NOR DISCOURAGING TEACHER ORGANIZING EFFORTS. THE DECISION TO ORGANIZE OR NOT IS NOT AN ADMINISTRATIVE ONE. THE DECISION TO DETERMINE REPRESENTATION AND AFFILIATION BELONGS TO TEACHERS. IF TEACHERS DECIDE TO ORGANIZE,

MY ONLY CAUTION IS TO DO SO IN SUCH A WAY AS TO AVOID ALIENATING YOUR PEER GROUP OF CLERGY, RELIGIOUS, AND LAY TEACHERS WHO HAVE THE RIGHT TO MAKE THEIR OWN DECISION WHICH MAY BE CONTRARY TO YOURS. TEACHERS' APPROACH TO ADMINISTRATORS SHOULD EXHIBIT THE BEHAVIOR OF PERSONS LIVING AND TEACHING THE GOSPEL MESSAGE. (I WOULD EXPECT ADMINISTRATORS TO RESPOND IN A SIMILAR FASHION.) LASTLY, IF COLLECTIVE BARGAINING IS BEGUN, APPROACH IT WITH A WILLINGNESS TO RESOLVE DIFFERENCES THROUGH THE PROCESS WHICH OFTEN REQUIRES COMPROMISE.

TO CONCLUDE THIS SEGMENT ON IMPLICATIONS OF TEACHER ORGANIZING EFFORTS, PERMIT ME TO MAKE SOME SUGGESTIONS WHICH HAVE APPLICATION FOR BOTH TEACHERS AND ADMINISTRATORS. THIS ENTIRE ISSUE

IS CONCERNED WITH THE IMPLEMENTATION OF THE CHURCH'S JUSTICE TEACHINGS IN THE SCHOOL'S COMMUNITY OF FAITH. THUS, FROM MY VANTAGE POINT, THERE IS A NEED FOR CERTAIN BASIC UNDERSTANDINGS AND AGREEMENTS ON THE PART OF BOTH ADMINISTRATORS AND TEACHERS. THERE MUST BE AGREEMENT OF BOTH GROUPS ON THE OVERALL MISSION OF THE CHURCH, ITS EDUCATIONAL MISSION, THE PLACE OF THE SCHOOL WITHIN THAT MISSION, THE ROLES OF THE ADMINISTRATOR, TEACHER AND TEACHER ORGANIZATION WITHIN THE SCHOOL. IF THESE UNDERSTANDINGS ARE NOT PRESENT INITIALLY, THERE WILL BE GREAT DIFFIUCLTY IN RESOLVING DIFFERENCES AND REACHING OTHER AGREEMENTS. I ACKNOWLEDGE THAT MY EXPECTATIONS MAY APPEAR TO BE IDEALISTIC AND THAT THE HUMAN ELEMENT, WITH ALL OF ITS FOIBLES, IS EVER PRESENT. BUT I BELIEVE THAT DIFFERENCES CAN BE

RESOLVED AND AGREEMENTS REACHED IF BOTH ADMINISTRATORS AND TEACHERS EXHIBIT AN UNDERSTANDING OF AND A WILLINGNESS TO RESOLVE CONFLICT IN THE CONTEXT OF A COMMUNITY OF BELIEVERS.

THE SECOND AREA WHICH HAS IMPLICATIONS FOR CATHOLIC SCHOOLS IS THE SUPREME COURT DECISION. THE GAVEL HAS COME DOWN AND THE COURT HAS RULED THAT THE NLRB HAS NO JURISDICTION IN CATHOLIC OR CHURCH-OPERATED SCHOOLS. A VOID HAS BEEN CREATED IN THE THIRD PARTY SERVICE AREA. THE GOVERNMENT MAY NOT THRUST ITSELF UPON US IN A MANNER OF SPEAKING BUT NOW NEITHER TEACHERS NOR ADMINISTRATORS HAVE A MUTUALLY ACCEPTABLE, OBJECTIVE THIRD PARTY TO TURN TO FOR ASSISTANCE IN ORGANIZATIONAL AND CONTRACTUAL DISPUTES WHEN NEEDED. THUS, THIS

IS AN EXCELLENT OPPORTUNITY FOR WE, AS CHURCH, TO STEP OUT AND TAKE THE INITIATIVE IN FILLING THAT VOID. PRESENTLY, I DO NOT FORSEE THE ESTABLISHMENT OF A NATIONAL CATHOLIC LABOR RELATIONS BOARD. SOME DIOCESES ARE ADDRESSING THIS PROBLEM LOCALLY. THE CHIEF ADMINISTRATORS' DEPARTMENT OF NCEA HAS ESTABLISHED A BROAD BASED COMMITTEE WHICH IS CHARGED WITH DEVELOPING MODELS OF THIRD PARTY SERVICES WHICH COULD BE USED. ASSUMING THAT MODELS ARE DEVELOPED AND PRESENTED TO THE CACE MEMBERSHIP, THEY WILL NOT AND CANNOT BE MANDATED FOR USE BY SCHOOLS AND DIOCESES. HOPEFULLY, HOWEVER, THE DEVELOPMENT OF SUCH MODELS WILL REPRESENT AN EFFORT OF OUR PROFESSIONAL ORGANIZATION TO ASSIST IN FILLING THE VOID.

CONCLUSION

AT THIS POINT, YOU ARE EITHER MORE KNOWLEDGEABLE OR MORE CONFUSED BECAUSE I HAVE PROVIDED YOU WITH INFORMATION ON TWO VERY COMPLEX SUBJECTS ADDITIONALLY, I HAVE PROVIDED SOME SUGGESTIONS BASED UPON MY BELIEFS AND EXPERIENCES. THUS, IT IS PROBABLY OBVIOUS THAT THERE ARE NO SIMPLE, CLEAR-CUT SOLUTIONS. RATHER, TOGETHER, ADMINISTRATORS AND TEACHERS, MUST CONTINUE TO WRESTLE WITH AND DEVELOP WAYS TO IMPLEMENT THE CHURCH'S TEACHINGS ON SOCIAL JUSTICE IN OUR SCHOOL COMMUNITIES OF FAITH.

## CITATIONS

1. National Labor Relations Board v. The Catholic Bishop of Chicago et al., Supreme Court of the United States No. 77-752 March 21, 1979, Majority Opinion, p. i.

2. Ibid. p. 1

3. Ibid. p. 6

4. Ibid. p. 7

5. Ibid. p. 9

6. Ibid. p. 7

7. Ibid. p. 10

8. Ibid. p. 14

9. Ibid. p. 12